

CERTIFICATED PERSONNEL PERFORMANCE EVALUATION ACT (HB 1338)

During its 1984 session, the Colorado State Legislature enacted HB 1338 concerning the evaluation of certificated personnel. The information below summarizes the major requirements imposed on local school districts by the law and the features of Weld County School District #6's evaluation system which respond to these legal mandates.



All school districts were to implement a written evaluation system pursuant to HB 1338 by July 1, 1986.



The law mandates establishment of a local Certificated Personnel Performance Evaluation Council to advise the Board of Education regarding the fairness, effectiveness, credibility, and professional quality of the evaluation system. The Council is required by the law to have a minimum of five members.



Input from principals, other administrators, and teachers in the development of the evaluation system is required by law.



The law requires specific components to be included in the evaluation system. The identified components are:

- 1. The title of the evaluator for each position to be evaluated.*
- 2. The title of the positions to be evaluated.*
- 3. The frequency and duration of evaluation.*
- 4. Purposes of evaluation as defined by statute.*
- 5. Criteria for evaluation of each position.*
- 6. Methods of evaluation including, but not limited to, direct observation of performance.*



All evaluations are to be conducted in a manner, which observes staff members' legal and constitutional rights.



The law requires that a written evaluation report be prepared which meets the following guidelines:

- 1. Recommendations and specific improvement plans are included.*
- 2. The strengths and weaknesses of the staff member's performance are specified.*
- 3. Specific information is recorded noting when a direct observation was made.*
- 4. Data sources are identified.*
- 5. The report is discussed and signed by the evaluator and staff member with a copy provided to both parties.*
- 6. The written report is reviewed and signed by the evaluator's supervisor.*



Each administrator with personnel evaluation responsibilities is to be evaluated on his/her ability to make fair, professional, and credible evaluations of subordinates.

CERTIFICATED PERSONNEL PERFORMANCE EVALUATION ACT (HB 1159)

With the passage of the Teacher Employment, Compensation, and Dismissal Act of 1990, several changes were made in the legal requirements of the Certificated Personnel Performance Evaluation Act. Each item below summarizes the requirements of the law and outlines the steps taken by Weld County School District No. 6 to comply with HB 1159.



The local Board of Education must adopt a written system to evaluate the employment performance of school district personnel, including all teachers, principals, and administrators. In the past, the Act simply stated that all school districts shall have such a system. Adoption by the Board of Education is now required.



In developing and amending the Certificated Personnel Performance Evaluation System, the local Board shall consult with administrators, principals, teachers, parents and the School District Certificated Personnel Performance Evaluation Council. In the past, parents were not directly specified as having involvement in the development and modification of the evaluation systems.



The performance evaluation system includes "probationary" teachers, as defined by HB 1159. Probationary teacher means a teacher who has not completed three full years of continuous employment with the school district and who has not been re-employed for the fourth year. A probationary teacher who is given a written notice of contract non-renewal may request, and, if, requested, shall receive the reasons for non-renewal from the Chief Administrative Officer of the district.



Employment performance evaluations shall be on a regular basis and of such frequency and duration as to insure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. In the past, many districts conducted the evaluation on a periodic basis. It is now necessary to specify the regular basis.



In addition to serving the original purposes of HB 1338 (improvement of instruction, enhancement of implementation of programs of curriculum, measurement of professional growth and development, and measurement of the level of performance of certificated personnel), the written employment performance evaluation system shall serve as the measurement of satisfactory performance for individual certificated personnel and as documentation for an unsatisfactory performance dismissal proceeding for ALL certificated personnel. Thus, it may be necessary to revise the existing systems to reflect these two additional purposes.



The employment performance evaluation system shall specify the standards for satisfactory performance and the criteria to be used to determine whether the performance of each certificated personnel meets such standards. It will be necessary to define satisfactory and unsatisfactory performance as a part of the system and the criteria to be used.



The District Certificated Personnel Performance Evaluation Council created under the original Act shall actively participate with the local Board in developing written standards for evaluation which clearly specify satisfactory performance and the criteria to be used to determine whether performance of each certificated personnel meets such standards.



The written growth or improvement plan shall specify what improvements, if any, are needed and shall set forth recommendations for improvements including recommendations for additional education and training during the recertification process. In the past, the growth or improvement plans were not necessarily linked to the individual's recertification process.



A teacher whose performance is deemed to be unsatisfactory shall be given notice of deficiencies. A remediation plan to correct these deficiencies shall be developed by the district and the teacher. The teacher shall be given a reasonable period of time for remediation of the deficiencies and shall receive a statement of the resources and assistance available for correcting these deficiencies.



No person shall be responsible for the evaluation of certificated personnel unless such person has an administrative certificate and has received training in evaluation skills approved by the Department of Education



No person shall be issued an administrative certificate or have an administrative certificate renewed unless the State Board of Education determines that such person has received education and training approved by the Department of Education.



Any certificated personnel whose performance evaluation includes a remediation plan shall be given an opportunity to improve his performance through the implementation of the plan. If the next performance evaluation shows that the certificated personnel is now performing satisfactorily, no further action shall be taken concerning the original performance evaluation. If such evaluation shows the certificated personnel is still not performing satisfactorily, the evaluator shall either make additional recommendations for improvement or may recommend the dismissal of such certificated personnel in accordance with the provisions of this Act.



If a certificated personnel member is being dismissed, the evaluation report(s) which serves as the documentation for the dismissal proceeding shall be made available to the hearing officer or the Court of Appeals reviewing a decision of the Board of Education to dismiss the certificated personnel.

CERTIFICATED PERSONNEL PERFORMANCE EVALUATION ACT (HB 1089)

With the passage of HB 1089 on April 17, 1998, concerning the performance evaluation system for certificated education personnel, districts have been making changes in their performance evaluation instruments and procedures. Listed below are the major points of the law and a summary of the efforts that the Weld County School District No. 6 has made to be compliant with the new law.



Probationary teachers receive at least two documented observations and one evaluation that result in a written report every year.



Non-probationary teachers receive at least one observation each year and one evaluation that result in a written report every three years.



One of the standards for measuring teaching performance should be directly related to classroom instruction and include multiple measures of student performance.



Standards and Criteria are available in writing and communicated and discussed by the evaluator and the evaluatee prior to and during the course of evaluation.



Provisions allow for the inclusion of any parent or student input obtained from standardized surveys.



Provision requiring each administrator who evaluates certificated personnel to keep records and documentation for each evaluation.



Require that each administrator evaluating certificated personnel be evaluated as to how well he/she carries out evaluation responsibilities under the district evaluation system.